

Division of Solid and Hazardous Waste  
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## **RECYCLING CENTER GENERAL APPROVAL**

Under the provisions of N.J.S.A. 13:1E-1 *et seq.* and N.J.S.A. 13:1E-99.11 *et seq.* known as the Solid Waste Management Act and the New Jersey Statewide Mandatory Source Separation and Recycling Act, respectively, and pursuant to N.J.A.C. 7:26A-1 *et seq.* known as the Recycling Rules, this General Approval is hereby issued to:

### **NATURE'S CHOICE ACQUISITION COMPANY**

FACILITY TYPE:	Recycling Center
LOT NO.:	11
BLOCK NO.:	21
MUNICIPALITY:	White Township
COUNTY:	Warren
FACILITY REGISTRATION NO.:	2103001130

This general approval is subject to compliance with all conditions specified herein and all regulations promulgated by the Department of Environmental Protection.

This General Approval shall not prejudice any claim the State may have to riparian land, nor does it allow the holder to fill or alter, or allow to be filled or altered, in any way, lands that are deemed to be riparian, wetlands, stream encroachment areas or flood plains, or that are within the Coastal Area Facility Review Act (CAFRA) Zone or subject to the Pinelands Protection Act of 1979, nor shall it allow the discharge of pollutants to waters of this State without prior acquisition of the necessary grants, permits or approvals from the Department of Environmental Protection.

May 8, 2003  
Issuance Date

\_\_\_\_\_  
Thomas Sherman  
Assistant Director  
Office of Permitting & Technical Programs

September 30, 2007  
Expiration Date

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## Scope of Approval

This approval, along with the referenced application documents herein specified, shall constitute the sole Recycling Center General Approval for the operation of a recycling center by Nature's Choice Acquisition Company (holder) located in White Township, Warren County, New Jersey.

Any registration, approval or permit previously issued by the Division of Solid and Hazardous Waste or its predecessor agencies is hereby superseded.

This general approval does not convey any property rights of any sort, or any exclusive privilege. Failure to comply with all of the conditions specified herein may result in revocation of this approval and/or may result in such other regulatory or legal actions that the Department is authorized by law to institute, including but not limited to, civil and administrative penalty assessments.

## Regulated Activities at the Recycling Center

Section I of this approval contains the general conditions applicable to all recycling centers. Section II of this approval contains general operating requirements for all recycling centers for receipt, storage, processing or transfer of Class C recyclable materials. Section III of this approval contains specific conditions applicable to the operations of the recycling center.

## Recycling Center Description

The recycling center is a private compost recycling center operated by Nature's Choice Acquisition Company for use as a regional site. The recycling center is located at 40 Foul Rift Road, Belvidere on Block 21, Lot 11, in Warren County. This regional recycling center receives leaves, grass, wood chips, brush and tree branches from municipalities, transfer stations, garbage haulers and landscapers. The recycling center is authorized to accept and process yard trimmings for composting, Monday through Saturday. All materials delivered to the site are composted until they have reached a stable form. The stabilized compost is then screened to remove any non-compostable material.

The recycling center is also utilized for finished compost storage and equipment storage as shown on the site plan. The recycling center markets compost in bulk form from the site.

## Section I - General Conditions Applicable to All Recycling Centers

### 1. Duty to Comply

Pursuant to N.J.A.C. 7:26A-3.1(a), all persons issued a general approval to operate a recycling center for Class B, Class C and/or Class D recyclable material pursuant to N.J.A.C. 7:26A-1 *et seq.* shall comply with all conditions of the approval.

### 2. Duty to Post a Sign

Pursuant to N.J.A.C. 7:26A-3.5(f), the holder of this general approval shall prominently post and maintain a legible sign, at or near the entrance to the recycling center, indicating that the recycling center is an approved New Jersey Department of Environmental Protection recycling center. The sign shall also indicate the following:

Hours of operation of the recycling center;  
Listing of the source separated materials to be received;  
The size, weight, or other restrictions regarding materials to be received;  
The maximum amount of contaminants allowed in each load;  
Warning that loads will be inspected and will be barred from offloading if the contaminant level is exceeded; and  
Notice that the person offloading shall certify the amount of material per load, municipality of origin of the material and any other information contained on the Recyclable Material Receipt Form.

### 3. Duty to Reapply

(a) Pursuant to N.J.A.C. 7:26A-3.6(a), application for renewal of this general approval shall be submitted at least three months prior to expiration of the current approval and shall comply with all requirements for renewal set forth in N.J.A.C. 7:26A-3.6 *et seq.* One copy of the application for renewal of the general approval shall be submitted by the applicant to the municipal clerk of the municipality in which the recycling center is located, and to the solid waste or recycling coordinator of the county in which the recycling center is located.

(b) Pursuant to N.J.A.C. 7:26A-3.6(b), the applicant for renewal of this general approval shall certify in writing to the Department that there have been no changes in the operations of the recycling center since the issuance of the general approval in order to renew the approval in its existing form. In the event that there have been changes in the operations of the recycling center or where changes are planned, the application for renewal of a general approval shall be accompanied by a written request to modify the general approval in accordance with N.J.A.C. 7:26A-3.10.

- (c) Pursuant to N.J.A.C. 7:26A-3.6(c), in a case where the holder of this general approval does not comply with conditions 3(a) and (b) of this section and continues to operate without renewal of the general approval, the Department may take actions which include, but are not limited to, the following:
  - (1) Appropriate enforcement action including the assessment of penalties under N.J.S.A. 13:1E-9; and
  - (2) Require the holder of this general approval to file an application as a new applicant for a general approval in accordance with N.J.A.C. 7:26A-3.2 and pay the application fee as per N.J.A.C. 7:26A-2.
- (d) Pursuant to N.J.A.C. 7:26A-3.6(h), all persons granted a renewal pursuant to N.J.A.C. 7:26A-3.6(d) shall continue to pay the annual fee as specified in N.J.A.C. 7:26A-2.

#### 4. Approval Modifications

- (a) Pursuant to N.J.A.C. 7:26A-3.10(a), the holder of this general approval shall obtain prior approval from the Department for any modification of the general approval.
- (b) Pursuant to N.J.A.C. 7:26A-3.10(b), modifications to the general approval to operate a recycling center which require the prior approval of the Department include the following:
  - (1) Any change affecting the conditions of this general approval; and
  - (2) Any change to the information submitted pursuant to N.J.A.C. 7:26A-3.2(a), 3.4, 3.8, 3.18 or 3.19, except that changes in end-market information submitted pursuant to N.J.A.C. 7:26A-3.2(a) 7 shall not require the prior approval of the Department but shall be handled in accordance with condition 4(e) of this section.
- (c) Pursuant to N.J.A.C. 7:26A-3.10(c), the holder of this general approval shall notify the Department in writing of the intended modification and shall update the information submitted pursuant to N.J.A.C. 7:26A-3.2(a), 3.4, 3.8, 3.18 or 3.19. The holder of this general approval shall also provide written notice to the solid waste or recycling coordinator of the applicable county of any request to modify a general approval.
- (d) Pursuant to N.J.A.C. 7:26A-3.10(e), the holder of this general approval shall not institute the modification until it receives written approval from the Department.
- (e) Pursuant to N.J.A.C. 7:26A-3.10(f), within one week of any change to the end-market information submitted to the Department pursuant to N.J.A.C. 7:26A-3.2(a)7, the holder of this general approval shall submit to the Department a written notification which details any change in the use of the recyclable material transferred from the recycling

center to an end-market or in the end-market location to which the recyclable material is transferred. The written notification shall be sent to:

New Jersey Department of Environmental Protection  
Division of Solid and Hazardous Waste  
Office of Permitting and Technical Programs  
P.O. Box 414  
Trenton, New Jersey 08625-0414

5. Approval Revocation

Pursuant to N.J.A.C. 7:26A-3.13(a), the Department may revoke this general approval upon a determination that the holder of the general approval has:

- (a) Violated any provision of N.J.S.A. 13:1E-1 *et seq.*, the New Jersey Statewide Mandatory Source Separation and Recycling Act, or any rule, regulation or administrative order promulgated pursuant to N.J.S.A. 13:1E-1 *et seq.* and the New Jersey Statewide Mandatory Source Separation and Recycling Act;
- (b) Violated any solid waste utility law at N.J.S.A. 48:2-1 *et seq.* or 48:13A-1 *et seq.*, or any rule, regulation or administrative order promulgated pursuant to N.J.S.A. 48:2-1 *et seq.* or 48:13A-1 *et seq.*;
- (c) Violated any provision of any laws related to pollution of the waters, air or land surfaces of the State or of any other State or Federal environmental laws including criminal laws related to environmental protection;
- (d) Refused or failed to comply with any lawful order of the Department;
- (e) Failed to comply with any of the conditions of this general approval issued by the Department;
- (f) Transferred a general approval to a new owner or operator pursuant to N.J.A.C. 7:26A-3.15 without the prior approval of the Department;
- (g) Has failed to obtain any required permit or approval from the Department or other State or Federal agency; or
- (h) Has committed any of the acts which are criteria for denial of a general approval set forth in N.J.A.C. 7:26A-3.11.

6. Transfers

- (a) Pursuant to N.J.A.C. 7:26A-3.15(a), this general approval shall not be transferred to a new owner or operator without the Department's prior approval.

- (b) Pursuant to N.J.A.C. 7:26A-3.15(a)1, a written request for permission to allow a transfer of this general approval must be received by the Department at least 60 days in advance of the proposed transfer of ownership or operational control of the recycling center. The request for approval shall include the following:
  - (1) The name, address and social security number of all prospective new owners or operators;
  - (2) A written certification by the proposed transferee that the terms and conditions contained in the general approval will be met by the proposed transferee; and
  - (3) A written agreement between the current owner or operator of the recycling center and the proposed new owner or operator containing a specific future date for transfer of ownership or operational control.
- (c) Pursuant to N.J.A.C. 7:26A-3.15(a)2, a new owner or operator may commence operations at the recycling center only after the existing approval has been revoked and a new approval is issued to the new owner or operator pursuant to N.J.A.C. 7:26A-3.5.
- (d) Pursuant to N.J.A.C. 7:26A-3.15(a) 3, the holder of this general approval remains liable for ensuring compliance with all conditions of the approval unless and until the existing approval is revoked and a new approval is issued to the new owner or operator pursuant to N.J.A.C. 7:26A-3.5.
- (e) Pursuant to N.J.A.C. 7:26A-3.15(a)4, compliance with the transfer requirements set forth in this subsection shall not relieve the holder of this general approval from the separate responsibility of providing notice of such transfer pursuant to the requirements of any other statutory or regulatory provision.
- (f) Pursuant to N.J.A.C. 7:26A-3.15(b), the transfer of a controlling interest in the stock or assets of the recycling center that is the subject of this general approval shall constitute a transfer of this general approval.

## 7. Operating Record and Reporting Requirements

- (a) Pursuant to N.J.A.C. 7:26A-3.17(a), the holder of this general approval shall maintain daily records of all materials received, stored, processed or transferred. Said records shall indicate, at a minimum:
  - (1) A daily record of the amounts of each recyclable material by type and municipality of origin which are received, stored, processed or transferred each day, expressed in tons, cubic yards, cubic feet or gallons. Those operators specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons;

- (2) The name, address and telephone number of the end-markets for all recyclable materials transported from the recycling center, including the amounts, in tons, cubic yards, cubic feet or gallons, transported to each end-market. Those persons specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons; and
  - (3) The amount of residue disposed of, expressed in tons, cubic yards, cubic feet or gallons, including the name and New Jersey Department of Environmental Protection solid waste registration number of the solid waste collector/hauler contracted to provide the haulage/disposal service. Those persons specifying the amount of residue in cubic yards shall also indicate the conversion ratio of the residue from cubic yards to tons.
- (b) Pursuant to N.J.A.C. 7:26A-3.17(b), the holder of this general approval shall retain the information required pursuant to N.J.A.C. 7:26A-3.2(a)16iii for three calendar years following the calendar year for which reporting is required pursuant to condition 7(c) of this section.
- (c) Pursuant to N.J.A.C. 7:26A-3.17(c), the holder of this general approval shall submit an annual report containing monthly summary statements of the information required pursuant to in condition 7(a) of this section to the New Jersey Department of Environmental Protection, Division of Solid and Hazardous Waste, on or before March 1 of each year, for the previous calendar year. The summaries shall include the following:
  - (1) Monthly totals of the amount of recyclable material received from each customer by municipality of origin;
  - (2) Monthly totals of the amount of recyclable product transferred to each end-market; and
  - (3) The amount of residue disposed of during each month.
- (d) Pursuant to N.J.A.C. 7:26A-3.17(e), the holder of this general approval shall certify in writing to the Department that all residue generated at the recycling center has been disposed of in accordance with the solid waste management rules at N.J.A.C. 7:26. The certification shall be submitted annually as part of the annual report required at condition 7(c) of this section.
- (e) Pursuant to N.J.A.C. 7:26A-3.17(f), all information submitted to the Department pursuant to conditions 7(a) through (d) of this section shall be handled in accordance with the requirements of the Public Records law, N.J.S.A. 47:1-1 *et seq.* The Department will hold confidential all end-market information, as well as information pertaining to the municipality of origin of recyclable material, submitted pursuant to N.J.A.C. 7:26A-3.2, 3.7, and 3.17 through 3.20 for a period of two years from the date on which the information is submitted to the Department, where specified as confidential by the applicant and where there are no health, safety or environmental



concerns which require the release of the information, as determined by the Department.

- (f) Pursuant to N.J.A.C. 7:26A-4.4 (a), the holder of this general approval shall provide a recycling tonnage report by February 1 of each year to all municipalities from which recyclable material is received in the previous calendar year. The report shall detail the amount of each source separated recyclable material, expressed in tons or cubic yards, brought to the recycling center, as well as the date on which the recyclable materials were delivered to the recycling center. Those persons specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons.

8. Conformance to District Solid Waste Management Plan

Pursuant to N.J.A.C. 7:26A-4.2, the recycling center shall not commence operations unless and until it is included in the applicable district solid waste management plan.

9. Uniform Construction Code

Pursuant to N.J.A.C. 7:26A-4.1(b), the construction of the recycling center that is the subject of this general approval shall be in conformance with the New Jersey Uniform Construction Code, N.J.S.A. 52:27D-119 *et seq.*, and the rules promulgated pursuant thereto.

10. Right of Entry

- (a) Pursuant to N.J.A.C. 7:26A-4.3(a), the New Jersey Department of Environmental Protection or an authorized representative acting pursuant to the County Environmental Health Act, N.J.S.A. 26:3A2-1 *et seq.* shall have the right to enter and inspect any building or other portion of the recycling center at any time in order to determine compliance with the provisions of all applicable laws or rules and regulations adopted pursuant thereto. This right to inspect includes, but is not limited to:
  - (1) Sampling any materials on site;
  - (2) Photographing any portion of the recycling center;
  - (3) Investigating an actual or suspected source of pollution of the environment; and,
  - (4) Ascertaining compliance or non-compliance with the statutes, rules or regulations of the Department, including conditions of the recycling center approval issued by the Department.
- (b) Pursuant to N.J.A.C. 7:26A-4.3(b), the right of entry specified in condition 10(a) of this section shall be limited to normal operating hours for the purpose of reviewing and

copying all applicable records, which shall be made available to the Department during an inspection and submitted to the Department upon request.

End of Section I

## Section II - General Operating Requirements

### 1. General Operating Requirements for All Recycling Centers

Pursuant to N.J.A.C. 7:26A-4.1(a), the recycling center shall be operated in compliance with the following operational standards:

- (a) All recyclable materials received, stored, processed or transferred at the recycling center shall conform to the following criteria:
  - (1) The recyclable materials shall have been separated at the point of generation from other waste materials or separated at a permitted solid waste facility authorized to separate recyclable materials from the incoming waste stream;
  - (2) The recyclable materials shall consist only of recyclable materials which the Department has approved at Section III of this general approval, pursuant to N.J.A.C. 7:26A-3, for receipt, storage, processing or transfer at the recycling center; and
  - (3) Recyclable materials may be commingled to the extent authorized in this general approval in Section III.
- (b) Residue shall not be stored on site for a period in excess of six months;
- (c) All residue shall be removed from the recycling center site in accordance with each district's waste plan;
- (d) All residue shall be stored separately from recyclable material and in a manner which prevents run-off, leakage or seepage from the residue storage area into, on or around the soil of the residue storage area;
- (e) The operation and related activities of the recycling center shall be in conformance with all applicable Federal and State laws and regulations;
- (f) The recycling center shall be operated in such a manner that the recycling center property is maintained free of litter and debris and such that tracking of mud into nearby streets is prevented;
- (g) Traffic associated with the operation of the recycling center shall not result in an unacceptable decrease in the existing level of service described and defined in the

- New Jersey Department of Transportation Highway Access Management Code at N.J.A.C. 16:47 of any major intersection or public roadway within a one-half mile radius of the recycling center;
- (h) Recycling center operations shall be separated from any and all adjacent residential, commercial and/or other sensitive land uses through the establishment of an effective visual screen buffer;
  - (i) The entrance to the access road shall be fenced or otherwise secured to prevent unauthorized access to the site;
  - (j) To provide sufficient support for vehicles, to prevent the tracking of soil onto public roads and to minimize the generation of dust, those areas of the recycling center subject to vehicular usage shall be suitably compacted and where necessary paved; and
  - (k) An adequate water supply and fire-fighting equipment shall be readily available to extinguish any fires. The telephone number of the local fire department shall be posted at the entrance to the recycling center.

2. General Operating Requirements for Recycling Centers Composting Yard Trimmings

- (a) Pursuant to N.J.A.C. 7:26A-3.8(c), a fire control plan for the recycling center shall be filed with and approved by the local fire official or other person of competent jurisdiction and shall be filed with the local municipal code enforcement officer prior to operating the recycling center.
- (b) Pursuant to N.J.A.C. 7:26A-4.5(a) the recycling center shall be operated in compliance with the following:
  - (1) Operation of the recycling center shall be under the supervision and control of a properly trained individual during all hours of operation, and access to the recycling center shall be prohibited when the recycling center is closed.
  - (2) Yard trimmings shall be received only during times when the recycling center operator or owner is present.
  - (3) All yard trimmings delivered to the recycling center for processing shall be removed from bags, boxes or similar containers prior to any processing steps except that yard trimmings in biodegradable bags need not be removed from such bags if the processing equipment provides for a shredding or cutting action. All discarded bags, boxes and similar containers shall be placed in a suitable refuse receptacle in the staging area of the recycling center for removal to an off-site disposal facility in accordance with the applicable district waste management plan.

- (4) If the incoming material contains grass, it shall be accepted only in areas of the site that are at least 1,000 feet from any areas of human use or occupancy, and processing of such material shall begin on the day of receipt.
- (5) Recycling centers which provide composting of the Class C recyclable material shall operate in accordance with the following:
  - (i) Within one year of the start up of the recycling center, the recycling center operator shall attend a composting course sponsored by the Rutgers Cooperative Extension, the appropriate county agricultural or resource management agents or any other similar course recognized by the Department.
  - (ii) Prior to windrow formation, dry yard trimmings shall be moistened with water to saturation without producing excessive runoff;
  - (iii) To facilitate drainage and to reduce surface water ponding, each windrow shall be constructed and positioned in such a manner that it is perpendicular to the contours of the ground surface;
  - (iv) A windsock shall be installed at the recycling center in order to indicate wind direction so that the recycling center operator may determine appropriate times for windrow turning operations;
  - (v) The recycling center shall follow the approved method of windrow composting defined in Section III of this general approval;
  - (vi) Finished compost shall be tested once each year, at a minimum, in accordance with monitoring and sampling plan established at Section III of this general approval. Samples of the compost produced at the recycling center shall be analyzed for the parameters listed at Table 1 at the end of this section. Results of all laboratory analysis for each parameter specified shall be recorded and maintained at the recycling center.
  - (vii) The laboratory used to perform the analysis of the finished compost product shall be certified in accordance with N.J.A.C. 7:18 for the equipment and testing procedures required;
- (6) In addition to the record-keeping requirements of N.J.A.C. 7:26A-3.17, the recycling center shall maintain the following records:
  - (i) The quantity of yard trimmings received daily, expressed as cubic yards of leaves, grass and/or brush;
  - (ii) The source of yard trimmings received daily; and
  - (iii) The results of laboratory analyses of finished compost, if applicable;

- (7) The following information shall be made available for inspection by the Department pursuant to N.J.A.C. 7:26A-4.3:
    - (i) The results of compost analyses and name(s) of certified laboratory(ies), if applicable;
    - (ii) The quantity, type and source of incoming material;
    - (iii) The quantity and types of recovered recyclables;
    - (iv) The quantity of disposed residue, and sites receiving residue; and
    - (v) The standard procedures employed to ensure data reliability.
  - (8) The recycling center shall submit to the Department within one year of receipt of its general approval to operate, a final closure plan containing a schedule and description of the steps necessary to close the recycling center including the estimated cost of closure and a description of the means by which the closure will be financed.
  - (9) The recycling center shall notify the Department in writing at least 60 days prior to the proposed closure date for the recycling center.
  - (10) The recycling center shall publish a notice of closure in a newspaper of general circulation in the district where the recycling center is located and in districts or communities sending at least 25 percent of their yard trimmings to the recycling center. Such notice shall be published at least 15 days prior to closure.
  - (11) Within 30 days of ceasing operation, all residuals, unprocessed yard trimmings, and recyclables shall be removed from the site and recycled or disposed as appropriate.
  - (12) The Department shall determine that a recycling center is considered closed when all the requirements of the closure plan have been met.
- (b) Pursuant to N.J.A.C. 7:26-4.5(c), any compost produced by the recycling center shall be subject to the following:
- (1) Compost given away or offered for sale by the recycling center must contain a label describing the recommended safe uses and application rates, and restrictions, if any, on use of the product. If compost is offered for bulk sale, signs or printed literature containing the above information shall be available on the bill of lading to the purchaser or persons receiving the compost.
  - (2) Compost given away or offered for sale shall satisfy the general requirements established at 40 C.F.R. Part 503, specifically 40 C.F.R. 503.13(b)(3).



Table I

COMPOST QUALITY MONITORING PARAMETERS

<u>Parameter</u>	<u>Unit</u>	<u>Method</u>
Stability or Maturity		O <sub>2</sub> Consumption, CO <sub>2</sub> Respiration, DeWars Self Heating Test, or Other Approved by Department
Soluble salts		Electrical Conductivity
pH		
Regulated parameters:		
Arsenic (As)	mg/kg dry wt.	
Cadmium (Cd)	mg/kg dry wt.	
Chromium (Cr)	mg/kg dry wt.	
Copper (Cu)	mg/kg dry wt.	
Lead (Pb)	mg/kg dry wt.	
Mercury (Hg)	mg/kg dry wt.	
Molybdenum (Mo)	mg/kg dry wt.	
Nickel (Ni)	mg/kg dry wt.	
Selenium (Se)	mg/kg dry wt.	
Zinc (Zn)	mg/kg dry wt.	
Man-Made Inerts > 4 mm and < 13 mm	percent by volume	Sieve Analysis
Film plastic > 4 mm	cm <sup>2</sup> /m <sup>3</sup>	Sieve Analysis

Notes:

1. Man-made inert material includes glass shards and metal fragments that pose a human and animal safety hazard with unprotected exposure or through direct ingestion.
2. Film plastic can be a potential hazard to small animals through direct ingestion.

End of Section II

### Section III - Specific Conditions Applicable to the Recycling Center

#### 1. Approved Recyclable Materials

The following yard trimmings may be received and processed to produce compost at this recycling center:

Leaves

Wood chips

Grass clippings (Not to exceed 30% by volume of on-site material available for blending as limited by condition 5(g)(3)(iii) of this section)

The following recyclable materials (hereinafter referred to as tree parts) may be received and processed to produce wood chips to be used in combination with or in lieu of leaves in the compost process:

Brush less than 4" in diameter

Tree branches less than 4" in diameter

#### 2. Commingling

The listed Approved Recyclable Materials may be received in a commingled manner.

#### 3. Contaminants

The maximum amount of contaminants allowed in each load of recyclable materials shall be limited to 1% by volume. The term contaminants in this document shall mean any material that is not included in the Approved Recyclable Materials list identified at condition 1 of this section.

#### 4. Approved Designs, Plans and Reports

- (a) The holder of this general approval shall operate the recycling center and construct or install associated appurtenances thereto, in accordance with the provisions of N.J.A.C. 7:26A-1 *et seq.*, the conditions of this general approval, and the following general approval application documents, which are incorporated herein by reference:

- (1) Renewal Application Package for Nature's Choice Corporation Vegetative Waste Compost Facility dated July 15, 1997.



- (2) Nature's Choice Corporation letter dated April 28, 1999 submitting additional information in response to the Department's technical notice of deficiency issued on February 26, 1999.
- (3) Nature's Choice Corporation letter dated August 2, 1999 submitting additional information in response to the Department's technical notice of deficiency issued on June 24, 1999.
- (4) Nature's Choice Corporation letter dated December 28, 1999 submitting additional information in response to requests made during a December 21, 1999 meeting held at the offices of the Department.
- (5) Nature's Choice Corporation letter dated April 25, 2000 submitting additional information in response to the Department's letter issued on March 30, 2000.
- (6) Nature's Choice Corporation submitting additional information to the Department received June 12, 2000.
- (7) The following full-size drawings which were prepared by Omland Engineering Associates Inc. under the supervision of Stanley T. Omland, P.E.

Dwg. Sheet No. 1 of 5, Location Map, Revised through October 18, 2002. (modified February 26, 2003).

Dwg. Sheet No. 2 of 5, Key Map, Revision 1, July 26, 1999.

Dwg. Sheet No. 3 of 5, Site Plan, Revision 7, May 30, 2002. (modified February 26, 2003).

Dwg. Sheet No. 4 of 5, Soil Erosion and Sediment Control Plan, Revision 7, October 16, 2002. (modified February 26, 2003).

Dwg. Sheet No. 5 of 5, Construction Details, Revision 7, October 16, 2002. (modified February 26, 2003).

Sand stockpiling and blending activities depicted on Dwg sheets No. 3 of 5 and No. 4 of 5 listed above are not included with this General Approval.

- (8) Nature's Choice Corporation letter dated May 15, 2001 submitting modification request to the Department.
- (9) Nature's Choice Corporation letter dated September 12, 2001 submitting additional information in response to the Department's technical notice of deficiency issued on August 22, 2001.

- (10) Nature's Choice Corporation letter dated December 13, 2001 submitting additional information in response to the Department's letter dated November 14, 2001.
  - (11) Omland Engineering Associates, Inc. letter dated December 18, 2001.
  - (12) Omland Engineering Associates, Inc. transmittal dated March 19, 2002 submitting Nature's Choice Vegetative Waste Compost Facility As-Built Contours.
  - (13) Blank Rome LLP submittal of March 25, 2003 requesting transfer of the Recycling Center General Approval and ownership of the Nature's Choice Corporation Recycling Center to Nature's Choice Acquisition Company.
  - (14) Blank Rome LLP memorandum of April 29, 2003 providing details of the ownership of Nature's Choice Acquisition Company.
  - (15) Blank Rome LLP fax transmittal of May 1, 2003 of an unsigned "Assignment and Assumption of Leases" document between Nature's Choice Acquisition Company and Nature's Choice Corporation.
  - (16) Blank Rome LLP fax transmittal of May 5, 2003 of a draft Asset Purchase Agreement between Nature's Choice Acquisition Company and Nature's Choice Corporation.
- (b) In case of conflict, the conditions of this approval shall have precedence over the general approval application documents listed above and the most recent revisions and supplemental information approved by the Department shall prevail over prior submittals and designs.
  - (c) One complete set of the general approval application documents listed in conditions 4(a)(1) through (16) of this section above, this general approval, and all records, reports including the information required at condition 7(a) of Section I and plans as may be required pursuant to this approval shall be kept on file at the recycling center and shall be available for inspection by authorized representatives of the Department or delegated agents upon presentation of credentials.
  - (d) The holder of this general approval shall submit to the Department within thirty (30) days from the issuance of this general approval a copy of the executed Assignment and Assumption of Leases between Nature's Choice Corporation and Nature's Choice Acquisition Company. The agreement shall be submitted to:

New Jersey Department of Environmental Protection  
Division of Solid and Hazardous Waste  
Office of Permitting and Technical Programs  
P.O. Box 414

Trenton, New Jersey 08625-0414

5. Approved Operations

(a) Hours of Operation

All recycling center operations shall be limited to the following schedule:

Monday – Saturday 7:00 AM to 5:00 PM, January through September.

Monday – Saturday 7:00 AM to 6:00 PM, October, November and December.

(b) Material Deliveries

Material deliveries to the recycling center shall be scheduled in such a manner as to minimize truck queuing on the recycling center property. Under no circumstances shall delivery trucks be allowed to back-up or queue onto public roads.

(c) Maximum Daily Capacity

The recycling center may receive no more than 70 trucks per day. No more than 5,000 cubic yards of yard trimmings shall be accepted per day. Of the 5,000 cubic yards of yard trimmings, not more than 3,000 cubic yards of commingled loads containing grass clippings may be received.

(d) Equipment Requirements

- (1) The following equipment or equivalent shall be available for site operations and shall be maintained in operable condition:

ALLU Model AS38 Windrow Turner  
DZ Model 1460B tub grinder  
Power Screen Model 616 & 830  
Komatsu PC 200LC-6 Excavator  
John Deere 230LC Excavator  
Komatsu Bulldozer D65PX-12  
John Deere 644G Loaders (2 units)  
John Deere 744E Loaders (2 units)  
John Deere 744H Loader  
John Deere 644H MH Material Handler  
Caterpillar 950 Loader  
(only 5 loaders shall be used on site when needed)  
A 2,400 gallon capacity mobile water tank  
A 10 ton vibratory roller

- (2) Requisite recycling center operations shall not be delayed or neglected for lack of required equipment or for equipment down time.

(e) Operating Area Maintenance

- (1) Those areas of the site subject to vehicular usage shall be maintained suitably compacted, and when necessary surfaced, to provide ample vehicular support in all weather conditions that allows operating equipment to perform all operational requirements contained in this General Approval.
- (2) The composting area, related material staging/mixing areas and access road(s) shall be maintained for the life of the recycling center in accordance with the Soil Erosion and Sediment Control Plan listed at condition 4(a)7 of this section and in a manner that prevents the accumulation or ponding of surface water.
- (3) Soil erosion, sedimentation and related stormwater management controls shall be in accordance with Soil Erosion and Sediment Control Plan listed at condition 4(a)7 of this section and as certified by the Warren County Soil Conservation District on November 13, 2002. Once established, soil erosion, sedimentation and related stormwater management controls shall be maintained for the life of the facility. (modified February 26, 2003).

(f) Incoming Materials Inspection and Handling

Materials staging, inspection and processing shall be conducted only in areas designated for such staging, inspection and processing shown on the approved site plans listed in condition 4(a)(7) of this section. Each load shall be inspected in accordance with the inspection plan provided in the Nature's Choice Corporation letter dated April 28, 1999 referenced in condition 4(a) of this section. This plan specifies that all contaminants shall be removed and placed in roll-off containers at the recycling center for eventual removal off site for disposal. After the inspection of the incoming material, windrow formation, grass processing and grinding operations must adhere to the following:

- (1) Loads of leaves, wood chips and commingled leaves and wood chips shall be directed to the windrow area for forming windrows. Grinding of these materials is prohibited.
- (2) Loads of grass clippings and grass clippings commingled with any combination of leaves and wood chips shall be directed to the designated grass clipping drop-off area for mixing with partially decomposed leaves and/or wood chips by the end of the working day of receipt of the material.
- (3) Loads of grass clippings commingled with tree parts and with tree parts combined with leaves and/or wood chips shall be directed to the commingled material grinding area for grinding. The material shall be ground within the day of receipt.

- (4) Loads of tree parts and tree parts combined with leaves and/or wood chips shall be directed to the commingled material grinding area for grinding. The material shall be ground within forty-eight (48) hours of receipt.

(g) Windrow Management

(1) General Operations

Windrow construction and reconstruction shall be conducted within the confines of the designated areas identified on the approved site plans as cited at condition 4(a)(7) of this section. Expansion of such activities beyond the designated areas shall require the approval of the Department. The total length of all windrows at the site at any given time shall not exceed 25,000 feet (approximately 125,000 cubic yards).

(2) Leaf and/or Wood Chip Windrow Operation

- (i) Upon acceptance, leaves and/or wood chips as described at condition 5(f)(1) of this section shall be placed in windrows. In addition, materials described at condition 5(f)(4) of this section shall be placed in windrows within twenty-four (24) hours after grinding. Windrows shall be constructed (and reconstructed if necessary after turning) to a maximum height of ten (10) feet with a corresponding base not to exceed a maximum of twenty-two (22) feet in width.
- (ii) Leaf and/or wood chip windrows shall be turned with the ALLU Model AS38 Windrow Turner or the equivalent listed at condition 5(d) of this section.
- (iii) Ample working space shall be maintained between windrows for turning purposes. A minimum separation of ten (10) feet working distance measured from the pile base to the next adjacent pile's base shall be provided to permit movement of turning equipment.
- (iv) After initial formation, windrows shall be turned and reconstructed a minimum of once a week for the first month. Further turnings shall be scheduled to prevent temperatures from exceeding 140 degrees Fahrenheit and to prevent oxygen levels from dropping below five percent.

(3) Grass Mixing

- (i) Grass clippings and commingled loads containing grass clippings as described at condition 5(f)(2) of this section shall be mixed with partially decomposed leaves and/or wood chips within the working day of receipt. Mixing shall occur at a ratio of one (1) part of grass clippings to not less than three (3) parts of partially decomposed leaves and/or wood chip material. The mixture shall be formed into windrows (hereinafter called "Mixed Windrows").

- (ii) Commingled material containing grass clippings as described at condition 5(f)(3) of this section and ground on site on the day of receipt shall be mixed with partially decomposed leaves and/or wood chips within twenty-four (24) hours of grinding. Mixing shall occur at a ratio of one (1) part of ground material to not less than three (3) parts of partially decomposed leaves and/or wood chips. The mixture shall be formed into windrows (hereinafter called "Mixed Windrows").
- (iii) Leaves and/or wood chips shall be used only once for mixing with grass clippings.

(4) Mixed Windrow Operation

- (i) Mixed windrows shall be constructed to a maximum height of ten (10) feet with a corresponding base not to exceed a maximum of twenty-two (22) feet in width.
- (ii) Mixed windrows shall be turned with the ALLU Model AS38 Windrow Turner or the equivalent.
- (iii) Ample working space shall be maintained between windrows for turning purposes. A minimum separation of ten (10) feet working distance measured from the pile base to the next adjacent pile's base shall be provided to permit movement of turning equipment.
- (iv) Mixed windrows shall be turned as necessary to maintain oxygen levels above 5 percent and inner core temperatures below 140°F.

(h) Final Curing and Screening

- (1) When the holder of this general approval determines that material in windrows has reached steady state conditions based on results of temperature and oxygen monitoring, the material from the windrows may be formed into curing piles with a maximum height of twelve (12) feet and width of twenty-four (24) feet.
- (2) For screening of the stabilized compost, the screeners identified at condition 5(d) of this section shall be available at the site. Over-sized material from screening operations shall be stockpiled at the end of the day of screening only in those areas designated for such storage as shown on the approved site plan listed at condition 4(a)(7) of this section. Over-sized material shall be placed into drying piles thirty (30) feet wide and fifteen (15) feet high to allow for drying and further screening. The materials shall be stored in up to five (5) piles not to exceed a total length of 2,000 feet (maximum 22,000 cubic yards). Drying time shall not exceed six (6) months after initial screening and two (2) months after each subsequent screening.

(i) Finished Compost

Finished compost may be stockpiled only in those locations identified on the approved site plan.

(j) Product monitoring and sampling plan

The compost product monitoring and sampling plan shall consist of the following:

- (1) At a minimum one sample of compost product of sufficient size and of equal proportion shall be collected for every 1,000 cubic yards of compost product generated.
- (2) Samples collected above shall be composited into a representative market batch sample. A market batch is that finished compost product that is ready for market and stored in a singular stockpile.
- (3) The market batch sample shall be placed in a non-metallic container and thoroughly mixed.
- (4) A minimum of two subsamples of sufficient size and of equal proportion shall be extracted from the composited market batch sample and placed in clean plastic containers. The containers shall then be sealed. One subsample shall be sent to a laboratory for analyses. The laboratory used to perform the analysis shall be certified in accordance with N.J.A.C. 7:18. The second subsample shall be retained at the site so that the Department may conduct follow-up analyses when necessary. The subsample retained shall be clearly marked for identification and stored at the site using proper preservation techniques for a period of 180 days from the date the market batch sample is transferred to the laboratory for analyses.
- (5) A copy of the analytical results shall be submitted to the following address within ten (10) days of receipt by the holder of the laboratory results.

New Jersey Department of Environmental Protection  
DSHW, Office of Permitting and Technical Programs  
P.O. Box 414  
Trenton, New Jersey 08625-0414
- (6) The market batch compost stockpiles shall remain on site until the associated analytical results are received by the recycling center and a determination is made whether the finished product meets the required criteria set forth at 40 C.F.R. Part 503, specifically 40 C.F.R. 503.13(b)(3).

- (7) Material sampling methods, sample preservation requirements, sample handling times and decontamination procedures for field equipment shall conform to applicable industry methods as specified in the NJDEP "Field Sampling Procedures Manual."

(k) Operations Monitoring

- (1) The holder of this general approval shall maintain a recycling center operations journal which shall include the following:
  - (i) Date;
  - (ii) Sketch of site including windrows, curing piles, drying piles from initial and subsequent screenings, staging and final product storage;
  - (iii) Identification of windrows that have been turned and/or reconstructed each day;
  - (iv) Identification of windrows where grass clippings and commingled loads of grass clippings as described at condition 5(f)(2) and 5(f)(3) respectively were mixed on any given day;
  - (v) Person(s) responsible for journal entry;
  - (vi) Name(s) of operator(s);
  - (vii) A general description of any and all activities at the site including, but not limited to:
    - (A) Regrading;
    - (B) Windrow and pile construction, turning and maintenance;
    - (C) Screening;
    - (D) Distribution of finished compost in cubic yards;
    - (E) Daily recording of beginning and ending hours of the dedicated windrow turning equipment as indicated on its hour meter.
    - (F) Results of any laboratory analysis for finished compost.
- (2) At a minimum, the following activities shall be performed and recorded in the recycling center operations journal:
  - (i) Inspect the site weekly for ponded water and rut formation and record findings;
  - (ii) Inspect the site periphery weekly for discharge of leachate and record findings;
  - (iii) Measure windrow core temperature in accordance with the following and record the results:



- (A) Three (3) randomly selected locations on every leaf and/or wood chip windrow on site each week after once per week turning ceases.
- (B) Three (3) randomly selected locations on every windrow with grass clippings each day for thirty (30) days after the introduction of grass clippings. After thirty (30) days the measurements shall be taken each week.
- (iv) Measure windrow core oxygen concentration at three (3) randomly selected locations on every windrow with grass clippings once each week for four (4) weeks after the introduction of grass clippings and record the results.
- (v) Inspect the surrounding area daily (Monday through Saturday) in vicinity of site, for detection of off-site odors of the surrounding area. After one year from the effective date of this approval this may be reduced to weekly inspections, provided no odor complaints have been registered with State, county, or local health/environmental agencies and provided that no official notification has been made to the holder of this general approval;
- (vi) Record prevailing wind direction during each day of windrow turning activities;
- (3) The holder of this general approval shall retain the recycling center operations journal at the recycling center for a period of five (5) years. Data collected shall be maintained on site and made available for NJDEP personnel inspection. Also, data collected shall be forwarded to the Department upon request.

(l) Residue

Residue, being the material that evolves from the processing of source separated recyclable material and is subsequently subject to disposal, inclusive of contaminants, shall not exceed 1% by volume of the total volume of the yard trimmings accepted during the year the material containing that residue was received. For the purpose of definition, the year shall start with the first day of the fall season on which leaves are received and end on the same day in the following year.

(m) Dust Control

Methods of effectively controlling dust shall be implemented at the recycling center in order to prevent off-site migration.

(n) Horizontal Controls

Horizontal control points for all operational areas shall be established and maintained on site. Permanent horizontal limitation markers shall be set at the corners of the operational areas as depicted on the approved site plans.

6. Performance Bond

Within thirty (30) calendar days of the date of issuance of this general approval, the holder of this general approval shall provide a Performance Bond or Irrevocable Standby Letter of Credit in the format specified at N.J.A.C. 7:26A-3.4(d) or (e) respectively in the amount of \$250,000.00 to the Division of Solid and Hazardous Waste, Bureau of Resource Recovery and Technical Programs.

End of Section III